

HARVEY SISKIND JACOBS LLP
D. PETER HARVEY (State Bar No. 55712)
Four Embarcadero Center, 39th Floor
San Francisco, CA 94111-4115
Telephone: (415) 354-0100
Facsimile: (415) 391-7124

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP
MARK E. FERGUSON (*pro hac vice*)
MARK L. LEVINE (*pro hac vice*)
ADAM K. MORTARA (*pro hac vice*)
54 W. Hubbard Street, Suite 300
Chicago, IL 60610-4697
Telephone: (312) 494-4400
Facsimile: (312) 494-4440

Attorneys for Plaintiff SAFECLICK, LLC

STANLEY YOUNG (Bar. No. 121180)
MICHAEL M. MARKMAN (Bar No. 191388)
HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, CA 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638
michael.markman@hellerehrman.com

Attorneys for Defendants VISA U.S.A. INC. and
VISA INTERNATIONAL SERVICE ASSOCIATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SAFECLICK, LLC, an Iowa limited liability company,)	Case No. C03-05865 SBA ADR
)	
Plaintiff,)	STIPULATION AND
vs.)	ORDER
)	
VISA INTERNATIONAL SERVICE ASSOCIATION., a Delaware corporation, and)	JUDGE: Honorable Sandra B. Armstrong
VISA U.S.A., INC., a Delaware corporation,)	
Defendants.)	
)	

The parties have met and conferred concerning possible revisions to the case management schedule, Visa's anticipated limited motion for summary judgment, and issues relating to the scheduling of remaining fact and expert discovery. Pursuant to such discussions, the parties jointly propose the following modifications to the case management schedule currently in effect (amended dates are noted in bold text):

<u>Rule</u>	<u>Event</u>	<u>Explanation of Time Interval</u>	<u>Proposed Date</u>
	Visa to file its limited motion for summary judgment of non-infringement (without waiver of Visa's right to subsequently file further motions for summary judgment)		July 19, 2005
	Safeclick to file its opposition to Visa's limited motion for summary judgment (without waiver of Safeclick's right to make a submission pursuant to Fed. R. Civ. P. 56(f), which if necessary shall be filed as soon as practicable following service of Visa's motion)	Sufficient time to conduct depositions of experts and fact witnesses submitting declarations, if necessary	August 9, 2005
	Visa to file its reply in support of Visa's limited motion for summary judgment	Sufficient time to conduct depositions of experts submitting declarations, if necessary	August 26, 2005
	Fact discovery cutoff on all issues		Sept. 1, 2005
	Hearing on Visa's limited motion for summary judgment	Next-available hearing date	Sept. 13, 2005

<u>Rule</u>	<u>Event</u>	<u>Explanation of Time Interval</u>	<u>Proposed Date</u>
	Opening expert reports by parties with burden of proof		Sept. 16, 2005
	Rebuttal expert reports	30 days after opening expert reports	Oct. 17, 2005
	Close of expert discovery	30 days after rebuttal expert reports	Nov. 9, 2005
	Last day to file dispositive motions	35 days before last day to hear dispositive motions	Nov. 15, 2005
Standing order	Parties meet and confer re pretrial conference	41 days before pretrial conference	Nov. 29, 2005
	Opposition briefs to dispositive motions filed on deadline	21 days before last day to hear dispositive motions	Nov. 29, 2005
Standing order	Parties file joint pretrial statement	35 days before pretrial conference	Dec. 5, 2005
	Reply briefs re dispositive motions filed on deadline	14 days before last day to hear dispositive motions	Dec. 6, 2005
Standing order	Parties file motions <i>in limine</i> and objections to evidence	28 days before pretrial conference	Dec. 12, 2005
Standing order	Parties file responses to motions <i>in limine</i> and objections to evidence	21 days before pretrial conference	Dec. 19, 2005
March 15, 2005 Order of Magistrate Judge Chen	Final mandatory settlement conference (to be set by Magistrate Judge)		Pursuant to Magistrate Judge Chen's order, settlement conference to be held on August 5, 2005. Further conferences may be schedule as appropriate.

<u>Rule</u>	<u>Event</u>	<u>Explanation of Time Interval</u>	<u>Proposed Date</u>
	Last day to hear dispositive motions		Dec. 20, 2005
Prior order	Pretrial conference		Jan. 10, 2006
Prior order	Trial (7-8 trial days) ¹		Jan. 23, 2006

The parties do not propose any other modifications to the existing Case Management Order.

Dated: June 24, 2005

/s/ Michael M. Markman
Attorney for Plaintiff

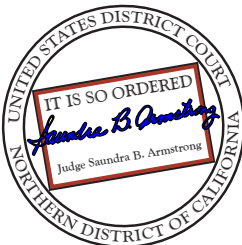
Dated: June 24, 2005

/s/ Adam K. Mortara
Attorney for Defendants

CASE MANAGEMENT ORDER

The Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order.

Dated: June 11, 2005



Sandra Brown Armstrong

SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

¹ Visa proposes that the question of damages be tried separately from the other issues, only following a verdict of infringement of a valid patent claim. Safeclick opposes this proposal. The parties have agreed to leave the issue open for the purpose of this [proposed] case management order, subject to later motion and/or briefing on the issue.